

APPLICANTS: Choi et al.
SERIAL NO.: 09/954,515
FILED: September 17, 2001
FOR: PROCESS FOR FORMING ELECTRODES

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REMARKS

Applicants appreciate the Examiner's having conducted a telephone interview with the counsel for Applicants on February 23, 2004, regarding the allowability of the claims as proposed to be amended herein.

Claims 18-28 are pending in this application. Claims 18-28 have been rejected under 35 USC § 112, second paragraph. Claims 18-26 and 28 have been rejected under 35 USC 103(a) as being unpatentable over Yatabe et al. Claim 27 has been rejected under 35 USC § 103(a) as being unpatentable over Austin in view of Yatabe et al.

The Examiner has maintained the rejection of claims 18-28 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that in independent claim 18, the unit "ohms/square" is unclear. As previously stated, the term "ohms/square" denotes sheet resistance, which has an inverse relationship to conductivity as well known to one skilled in the art. As the specification states, the conditions used to deposit the top high index layer should be varied so as to give the top layer substantial conductivity (specification page 8, lines 3-9). In addition, the specification states that the top layer should have a *conductivity* of at least about 400 ohms/square, and desirably from about 100 to about 200 ohms per square. Therefore, claim 18 has been amended herein to clarify the range of conductivity for the top high index layer. Accordingly, amended claim 18 satisfies 35 USC § 112, second paragraph.

Amended independent claim 18 recites a substantially transparent electrode assembly comprising a substrate, a high index layer formed on the substrate, a conductive layer formed on the high index layer and a high index top layer having a conductivity ranging from about 100 ohms/square to about 400 ohms/square formed on the conductive layer, at least the top layer and

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the conductive layer being patterned so as to divide the conductive layer into a plurality of discrete electrodes.

Independent claim 18 is patentable over Yatabe et al. and Austin because neither of these references, either alone or in combination, shows or suggests a substantially transparent electrode assembly including, inter alia, a high index top layer having a conductivity ranging from about 100 ohms/square to about 400 ohms/square formed on the conductive layer with at least the top layer and the conductive layer being patterned so as to divide the conductive layer into a plurality of discrete electrodes. Yatabe et al. disclose a heat wave reflective or electrically conductive laminated structure composed of a shaped solid substrate, a transparent thin layer having a high refractive index in contact with the substrate, a transparent heat wave reflective layer of an electrically conductive metal in contact with the transparent thin layer, and optionally, a transparent thin layer having a high refractive index in contact with the transparent heat wave reflective layer and a transparent top layer in contact with the transparent thin layer. As the Examiner admits, Yatabe et al. do not show or suggest a high index top layer having substantial conductivity. In fact, the Examiner admits Yatabe et al. teach a high index layer that is electrically insulating. The present specification states that the preferred materials and processes for forming the top layer are the same as those for forming the insulating layer, except that the condition used to deposit the top layer should be varied so as to give the top layer substantial conductivity. See specification page 8, lines 1-4. Further, the specification clearly states that using a top layer with a conductivity ranging from about 100 ohms/square to about 400 ohms/square, and desirably from about 100 to about 200 ohms per square, gives satisfactory results. See specification page 8, lines 5-9.

Austin discloses a faceplate for a touch sensitive video display having electrode regions

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formed from a conductive transparent metal-oxide. The electrode regions are spaced apart and deposited on a base coating with a protective dielectric layer covering the electrode regions and spaces. Austin does not show or suggest a high index top layer having a conductivity ranging from about 100 ohms/square to about 400 ohms/square formed on the conductive layer with at least the top layer and the conductive layer being patterned so as to divide the conductive layer into a plurality of discrete electrodes.

Dependent claims 19-28 depend directly from independent claim 18 and thus contain all of the limitations of the independent claim from which they depend. Therefore, these dependent claims are patentable over Yatabe et al. and Austin either alone or in combination, for at least the same reasons set forth above with respect to claim 18.

Enclosed is a Petition for a Two Month Extension of Time. Please charge the required fee to Deposit Account No. 50-1721.

Applicants submit that all of the claims are now in condition for allowance, which action is requested. Please apply any charges or credits to Deposit Account No. 50-1721.

Respectfully submitted,



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